

AMENDED IN ASSEMBLY MAY 5, 2005

AMENDED IN ASSEMBLY MAY 2, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 652

Introduced by Assembly Member Levine

February 17, 2005

An act to add Section 12315 to the Welfare and Institutions Code, relating to in-home supportive services, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 652, as amended, Levine. In home supportive services program: pilot project.

Existing law provides for the In-Home Supportive Services (IHSS) program, which is administered at the statewide level by the State Department of Social Services, and under which, either through employment by the recipient, or by or through contract by the county, qualified aged, blind, and disabled persons receive services enabling them to remain in their own homes.

This bill would require the department to establish a pilot project, at least 3 years in duration, that would authorize certain qualified individuals who are not financially eligible to receive in-home supportive services, to purchase those services. The bill would require the pilot project to be conducted in 3 counties that consent to participate.

This bill would require a participating county to evaluate the pilot project in accordance with criteria set forth in the bill. The bill would authorize the extension and expansion of the pilot project after the first 3 years, if the county finds that the project has been successful. It

would require the department to ensure that the pilot project is conducted so as to secure maximum federal financial participation. This bill would provide that it shall only be implemented if sufficient funds are appropriated in the annual Budget Act.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12315 is added to the Welfare and
2 Institutions Code, to read:

3 12315. (a) The department shall conduct a pilot project, at
4 least three years in duration, for the purpose of authorizing the
5 individuals described in subdivision (b) to purchase in-home
6 supportive services pursuant to this chapter. The pilot project
7 shall be conducted in three counties that consent to participate.

8 (b) The pilot project established pursuant to this section shall
9 apply to a qualified individual who is eligible for the Medi-Cal
10 program with a share of cost or who is not otherwise eligible to
11 receive services pursuant to this chapter.

12 (c) After three years of operation, each participating county
13 shall evaluate the success of the pilot project implemented under
14 this section. If the pilot project is successful, the department, at
15 the county's request, shall extend the pilot project for an
16 additional two years, and expand pilot project services as the
17 department deems appropriate. The success of the pilot project
18 shall be based on the following factors:

19 (1) Consumer satisfaction.

20 (2) Cost-effectiveness.

21 (3) Average turnover of providers.

22 (c) In evaluating the project, the county shall ensure all of the
23 following:

24 (1) An independent, impartial, outside evaluator or a county
25 employee independent of the project shall be used.

26 (2) If the county decides to employ an outside evaluator, the
27 county shall be responsible for all costs associated with the
28 evaluation.

1 (3) The department shall approve the evaluation design and
2 plan.

3 (4) Quarterly progress reports shall be completed.

4 (d) The department shall take all necessary steps to ensure that
5 the pilot project is conducted so as to secure maximum federal
6 financial participation.

7 (e) This section shall only be implemented if sufficient funds
8 are appropriated in the annual Budget Act.

9 *SEC. 2. This act is an urgency statute necessary for the*
10 *immediate preservation of the public peace, health, or safety*
11 *within the meaning of Article IV of the Constitution and shall go*
12 *into immediate effect. The facts constituting the necessity are:*

13 *Because of an increasing demand for in-home supportive*
14 *services from nonmeans tested individuals, and the importance of*
15 *promoting access to these services, it is necessary that this act*
16 *take effect immediately.*